

UNITED STATES DISTRICT COURT
DISTRICT OF PUERTO RICO

In re:

THE FINANCIAL OVERSIGHT AND
MANAGEMENT BOARD FOR PUERTO RICO,

as representative of

THE COMMONWEALTH OF PUERTO RICO, *et al.*,

Debtors.¹

PROMESA

Title III

No. 17 BK 3283-LTS

(Jointly Administered)

Re: ECF No. 21890

**STATEMENT OF THE FINANCIAL OVERSIGHT AND MANAGEMENT BOARD IN
RESPONSE TO THE COURT’S ORDER DIRECTING BRIEFING IN RESPONSE TO
THE (I) NOTICE OF INTENT TO REPLY TO FOUR HUNDRED NINETY-SIXTH
OMNIBUS OBJECTION (SUBSTANTIVE) OF THE COMMONWEALTH OF PUERTO
RICO TO PARTIALLY SATISFIED AND PARTIALLY NO LIABILITY CLAIMS ON
BEHALF OF FERNANDO COMULADA ORTIZ AND (II) NOTICE OF INTENT TO
REPLY TO FOUR HUNDRED NINETY-SIXTH OMNIBUS OBJECTION
(SUBSTANTIVE) OF THE COMMONWEALTH OF PUERTO RICO TO PARTIALLY
SATISFIED AND PARTIALLY NO LIABILITY CLAIMS ON BEHALF OF POTRERO
LOS LLANOS, INC**

¹ The Debtors in these Title III Cases, along with each Debtor’s respective Title III case number and the last four (4) digits of each Debtor’s federal tax identification number, as applicable, are the: (i) Commonwealth of Puerto Rico (“Commonwealth”) (Bankruptcy Case No. 17-BK-3283- LTS) (Last Four Digits of Federal Tax ID: 3481); (ii) Puerto Rico Sales Tax Financing Corporation (“COFINA”) (Bankruptcy Case No. 17-BK-3284-LTS) (Last Four Digits of Federal Tax ID: 8474); (iii) Puerto Rico Highways and Transportation Authority (“HTA”) (Bankruptcy Case No. 17-BK-3567-LTS) (Last Four Digits of Federal Tax ID: 3808); (iv) Employees Retirement System of the Government of the Commonwealth of Puerto Rico (“ERS”) (Bankruptcy Case No. 17-BK-3566-LTS) (Last Four Digits of Federal Tax ID: 9686); (v) Puerto Rico Electric Power Authority (“PREPA”) (Bankruptcy Case No. 17- BK-4780-LTS) (Last Four Digits of Federal Tax ID: 3747); and (vi) Puerto Rico Public Buildings Authority (“PBA”) (Bankruptcy Case No. 19-BK-5523-LTS) (Last Four Digits of Federal Tax ID: 3801) (Title III case numbers are listed as Bankruptcy Case numbers due to software limitations).

To the Honorable United States District Court Judge Laura Taylor Swain:

The Financial Oversight and Management Board for Puerto Rico (the “Oversight Board”), as the sole Title III representative of the Commonwealth of Puerto Rico (the “Commonwealth”), pursuant to Section 315(b) of the *Puerto Rico Oversight, Management, and Economic Stability Act* (“PROMESA”),² respectfully submits this statement in response to the Court’s *Order Directing Briefing in Response to the (I) Notice of Intent to Reply to Four Hundred Ninety-Sixth Omnibus Objection (Substantive) of the Commonwealth of Puerto Rico to Partially Satisfied and Partially No Liability Claims On Behalf of Fernando Comulada Ortiz and (II) Notice of Intent to Reply to Four Hundred Ninety-Sixth Omnibus Objection (Substantive) of the Commonwealth of Puerto Rico to Partially Satisfied and Partially No Liability Claims On Behalf of Potrero Los Llanos, Inc* [ECF No. 21890] (the “Order”).

STATEMENT

1. On May 21, 2018, Potreros Los Llanos, Inc. (“Los Llanos”) filed proof of claim number 17818, asserting an unsecured claim against the Commonwealth in the amount of \$11,013.06.

2. On May 24, 2018, Fernando Comulada Ortiz (“Mr. Comulada Ortiz” and, together with Los Llanos, the “Claimants”) filed proof of claim number 20873 (and together with proof of claim number 17818, the “Claims”), asserting an unsecured claim against the Commonwealth in the amount of \$38,000.

3. On August 5, 2022, the Commonwealth, ERS, and PBA filed the *Four Hundred Eighty-Eighth Omnibus Objection (Non-Substantive) of the Commonwealth of Puerto Rico, the Employees Retirement System of the Government of the Commonwealth of Puerto Rico, and the*

² PROMESA is codified at 48 U.S.C. §§ 2101–2241.

Puerto Rico Public Buildings Authority to Deficient Claims [ECF No. 21738] (the “488th Claim Objection”), objecting to the Claims as “fail[ing] to comply with the applicable rules for filing a claim by not providing a basis for asserting the claim against the Commonwealth[.]” 488th Claim Objection ¶ 19. The 488th Claim Objection also set September 5, 2022 at 4:00 p.m. (Atlantic Standard Time) (the “Response Deadline”) as the deadline by which Claimants were required to respond to the 488th Claim Objection. *Id.* at 1.

4. On August 18, 2022, Los Llanos filed the *Notice of Intent to Reply to Four Hundred Ninety-Sixth Omnibus Objection (Substantive) of the Commonwealth of Puerto Rico to Partially Satisfied and Partially No Liability Claims on behalf of Potrero Los Llanos, Inc.* [ECF No. 21867] and Mr. Fernando Comulada Ortiz filed the *Notice of Intent to Reply to Four Hundred Ninety-Sixth Omnibus Objection (Substantive) of the Commonwealth of Puerto Rico to Partially Satisfied and Partially No Liability Claims on behalf of Fernando Comulada Ortiz* [ECF No. 21868] (together, the “Notices”).³

5. On August 22, 2022, the Court entered the Order, which directed the Oversight Board to meet and confer with the Claimants and file a response to the Notices by August 26, 2022, at 5:00 p.m. (Atlantic Standard Time). Order at 2.

6. The Oversight Board has conferred with counsel for the Claimants, who request an extension of the Response Deadline to and including September 9, 2022 with respect to their Claims. The Oversight Board has agreed to such request.

7. The 488th Claim Objection remains scheduled to be hearing at the omnibus hearing set for September 21, 2022, at 9:30 a.m. (Atlantic Standard Time). The Oversight Board reserves

³ The Notices erroneously identify the Claims as objected to in the Four Hundred Ninety-Sixth Omnibus Objection [ECF No. 21749]. The Claims are objected to in the 488th Claim Objection.

all rights to adjourn, withdraw, or prosecute the 488th Claim Objection with respect to the Claims at or before the omnibus hearing.

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Dated: August 26, 2022
San Juan, Puerto Rico

Respectfully submitted,

/s/ Brian Rosen

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(Admitted *Pro Hac Vice*)

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